

## DECLARATION AND PETITION

We, Darin Y. FURGESON and Sung Wan KIM, declare: that we are citizens of the United States of America; that our residences and post office addresses are 714 South Arapeen Drive, Salt Lake City, Utah 84108; and 1711 Devonshire, Salt Lake City, Utah 84108, respectively; that we verily believe we are the original, first, and joint inventors of the subject matter of the invention or discovery entitled LINEAR POLYETHYLENIMINE-STEROL CONJUGATES FOR GENE DELIVERY, for which a patent is sought and which is described and claimed in the specification attached hereto; and granted Serial No. \_\_\_\_\_ (we hereby authorize the attorneys of Clayton, Howarth & Cannon, P.C., to insert said serial number when known); that we have reviewed and understand the contents of the above-identified specification, including the claims; and that we acknowledge the duty to disclose information which is material to the examination of this application in accordance with Section 1.56(a) of Title 37 of the Code of Federal Regulations.

We hereby claim the benefit under Section 119(e) of Title 35 of the United States code of the earlier filed application Serial No. 60/396,966, filed July 17, 2002; and, insofar as the subject matter of each of the claims of these applications is not disclosed in the earlier filed pending application in the manner provided by the first paragraph of Section 112 of Title 35 of the United States Code, we acknowledge the duty to disclose material information, as

defined in Section 1.56 of Title 37 of the Code of Federal Regulations, which occurred between the filing dates of the earlier filed applications and the filing date of this application.

We declare further that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

Wherefore, we pray that Letters Patent be granted to us for the invention or discovery described and claimed in the foregoing specification and claims, declaration, power of attorney, and this petition.

Signed at Salt Lake City, Utah, this  
(City) (State)  
24<sup>th</sup> day of June, 2003.

INVENTOR:

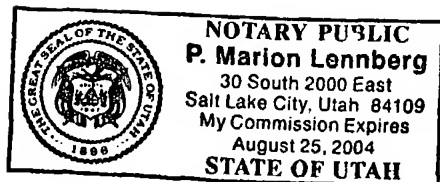
Darin Y. Furguson 06/24/03  
Darin Y. FURGESON

Signed at Salt Lake City, Utah, this  
(City) (State)  
24<sup>th</sup> day of June, 2003

INVENTOR:

Sung Wan KIM  
Sung Wan KIM

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P. Marion Lennberg  
June 24, 2003

# POWER OF ATTORNEY

The University of Utah Research Foundation hereby appoints as its attorneys and/or patent agents, Grant R. Clayton, Registration No. 32,462; Alan J. Howarth, Registration No. 36,553; Karl R. Cannon, Registration No. 36,468; Clifford B. Vaterlaus, Registration No. 47,261; Terrence J. Edwards, Registration No. 50,254; and Brett J. Davis, Registration No. 46,655; all with full power of substitution and revocation, to prosecute this application LINEAR POLYETHYLENIMINE-STEROL CONJUGATES FOR GENE DELIVERY, attached hereto and granted Serial No. \_\_\_\_\_; and to transact all business in the Patent and Trademark Office connected therewith. (I hereby authorize the attorneys of Clayton, Howarth & Cannon, P.C., to insert said serial number when known.)

Please direct all future correspondence in connection with this application to:

Customer No. 20450

Please direct all telephonic and facsimile communications to:

Alan J. Howarth  
Telephone: (801)255-5335  
Facsimile: (801)255-5338

Please reference the below provided attorney docket number in all communications:

T9967.A

The University of Utah Research Foundation is the assignee of record of the entire interest and a statement under 37 C.F.R. § 3.73(b) is enclosed.

Signed at Salt Lake City, UT, this  
(City) (State)  
1 day of July, 2003.

University of Utah Research Foundation

R F Gesteland  
Raymond F. Gesteland, President

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